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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Schueller, et al.

Serial No.: 10/035,766

Filed: December 26, 2001

Title: "Gated Electron Emitter Having
Supported Gate"§
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Group No.: 2879

Examiner: Guharay, Karabi

Atty. Docket No.: 065095.0125

Mail Stop Response
Commissioner of Patents
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37 C.F.R. §1.10PURSUANT TO 37 C.F.R. 1.10, I HEREBY CERTIFY THAT I HAVE A REASONABLE BASIS FOR
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NAMEClaude R. Cooke, Jr.
DATE OF MAILING: MAY 4, 2004
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Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Examiner's Office Action of November 7, 2003, Applicant
submits the following Remarks.

As the one-month shortened statutory period for reply was due December 7, 2003,
Applicants respectfully request a five-month extension of time, with the appropriate fee, to
extend the period of reply to May 7, 2004. Therefore, this Response is considered timely filed.

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REMARKS

In response to the Office Action mailed November 7, 2003, Applicants provisionally elect for examination purposes, without traverse, Group I and thus, claims 1-14, drawn to an apparatus for emitting electrons, classified in class 313, subclass 495. Applicants specifically reserve the right to prosecute any unexamined claims at a later date or include non-elected claims if a generic claim is allowed.

A check in the sum of \$1,005.00 is enclosed in payment of the 5 month extension fee due. If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 02-0383 (065095.0125).

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned agent for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

Respectfully submitted,

BAKER BOTTS L.L.P. (023640)

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Date: May 4, 2004